

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NATIONAL LABOR RELATIONS BOARD,

Applicant,

v.

Case No. 10-mc-50321

JEFF DIXON, DEON JAMES, ALVIN THOMAS,

Respondents.

**ORDER GRANTING THE NLRB'S "APPLICATION FOR ORDER ENFORCING
SUBPOENAS *AD TESTIFICANDUM*"**

Upon consideration of the "Application for Order Enforcing Subpoenas *Ad Testificandum*" pursuant to Section 11 of the National Labor Relations Act, 29 U.S.C. § 161, the court finds that:

- (1) The National Labor Relations Board's (NLRB's) issuance of four subpoenas ad testificandum (Jeff Dixon A-861547 and A-862202, Deon James A-862255, and Alvin Thomas A-862203) to procure evidence for the purpose of an investigation in Cases 7-CA-52490 and 7-CB-16697, is within the lawful jurisdiction of the government authority seeking signed, sworn affidavit testimony;
- (2) There is reason to believe that each Respondent was personally served with the subpoena in accordance with 29 U.S.C. § 161;
- (3) There is reason to believe that the testimony being sought is relevant to a legitimate law enforcement inquiry; and
- (4) There is reason to believe that each Respondent's refusal to provide the sworn testimony being sought will impede the unfair labor practice proceeding in Cases

7-CA-52490 and 7-CB-16697 before the NLRB and is preventing the NLRB from carrying out its duties and functions under the Act.

Accordingly, IT IS ORDERED that the NLRB's "Application for Order Enforcing Subpoenas *Ad Testificandum*" [Dkt. #1] is GRANTED.

IT IS FURTHER ORDERED that Jeff Dixon, Deon James, and Alvin Thomas shall comply with the subpoenas and appear before a Board agent to provide signed, sworn affidavit testimony at a place and time to be fixed by the Board agent, but the time must be during ordinary business hours.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 14, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 14, 2010, by electronic and/or ordinary mail.

s/Deborah J. Goltz
Case Manager